

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the arguments set forth fully below. Claims 1-36 were previously pending in this application. Claims 1-17 and 29-36 are rejected. Claims 18-28 are allowed. Accordingly, Claims 1-36 are now pending in this application.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 1-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,715,372 issued to Meyers et al. (hereinafter “Meyers”) in view of U.S. Patent No. 6,578,007 issued to Howes et al. (hereinafter “Howes”). The Applicant respectfully traverses this rejection.

Meyers teaches an apparatus that extracts a feature set from an input signal. A feature extraction system 20 derives the feature set from the input signal (Meyers, Figure 1). The feature set is described as a group of signal parameters which characterize the input signal. The feature set extracted from the input signal is sent from the feature extraction system 20 to an intelligent system 30. The intelligent system 30 determines a relationship between the feature set and corresponding signal characteristics. Meyers teaches that the intelligent system 30 operates on the feature set to produce an output signal which characterizes the input signal for the attribute being measured.

Within the Office Action, it is stated that Meyers in view of Howes teaches the claimed limitations of independent apparatus claim 1. Specifically, on the bottom of page 2 of the Office Action, it is stated that Meyers teaches “extracting a feature set”, which is said to teach the claimed limitation “means for extracting an attribute from the output.” To support this assertion, column 2, lines 35-39 of Meyers is cited. Column 2, lines 35-39 of Meyers teaches in part “[t]he selected feature set is then extracted from a first input signal.” There is no hint, teaching, or suggestion within Meyers that indicates a means for extracting a feature set from an output signal, where the output signal is an automatically transcribed output signal generated in response to an input. Howes is not cited for teaching means for extracting an attribute from the output.

In the Response to Arguments section of the Office Action, the Examiner argues that the phrase

“automatically transcribed output” is located only in the preamble, and therefore does not have patentable weight, but that the word “output” does have patentable weight. The Applicant respectfully contends that the phrase “automatically transcribed output” does have patentable weight because element (a) of claim 1 claims “the output” (emphasis added), and the antecedent basis for “the output” is “an automatically transcribed output.” As such, by its antecedent basis, “the output” refers to “the automatically transcribed output.”

As a second reason for allowance, the Applicant contends that there is insufficient motivation to combine the two references, Meyers and Howes. Meyers is directed to the field of signal processing and Howes is directed to the field of transcription services. These two fields are completely unrelated. There is no hint, teaching, or suggestion within either Meyers or Howes that indicates output keyword characteristics of a textual document, e.g. a report (Howes), can be substituted for output signal characteristics of a signal processing device (Meyers). In the present claim 1, the means for selecting is based on “the attribute.” The antecedent basis for “the attribute” is the result of means for extracting an attribute from the output. Within the Office Action, it is stated that Meyers teaches means for extracting an attribute from the output as “extracting a feature set.” The “feature set” as taught by Meyers is a group of signal parameters which characterize the input signal, e.g. signal characteristics. Such a contention by the Examiner dictates that “the attributes” of the present claims correspond to “the feature set” (signal characteristics) of Meyers.

It is acknowledged within the Office Action that Meyers fails to teach using “the output” results, and thereby the attributes extracted from the output to choose the transcriptor. However, it is also stated that Howes teaches choosing the transcriptor based on attributes from a report. An attribute as taught in the cited portion of Howes (Col. 2, lines 4-13) is defined as “a type” of report, e.g. a type of medical report. It is therefore concluded by the Examiner that Meyers can be modified with the transcriptor assignment of Howes. However, the present claims teach means for selecting based on the attribute, where the Examiner contends that “the attribute” is “the feature set” (signal characteristics) of Meyers (page 2, second to last line of the Office Action). Therefore, combining the references as proposed requires that “the attribute” of Meyers, which is “the feature set” (signal characteristics), is replaced by “the attribute” of Howes, which defines a type of report. The Applicant contends that there is no motivation to make such a combination as the field of transcription services (Howes) is unrelated to the field of signal processing (Meyers), and there is no hint, teaching, or suggestion within either Meyers or Howes to suggest such a combination.

Within the Office Action, it is stated that the motivation to combine Howes with Meyers resides in column 2, lines 8-16 of Howes, which states in part that “other rules may direct the system to accord priority treatment to certain types of dictation jobs.” However, such “rules” are directed to prioritization of types of reports, e.g. pre-operation reports, that take priority over other dictation jobs to be transcribed. There is no hint, teaching, or suggestion within this cited passage of Howes that indicates “other rules” are in any way related to signal characteristics, as in Meyers. Therefore, there is not proper motivation to combine Howes and Meyers.

The independent Claim 1 is directed to an apparatus for improving productivity of human review of an automatically transcribed output generated by an information processing system, wherein the output is generated in response to an input. The apparatus includes means for extracting an attribute from the output, and means for selecting one of a plurality of human reviewers based on the attribute. As discussed above, Meyers does not teach that the output signal is an automatically transcribed output signal. Further, there is not proper motivation to combine Howes and Meyers. For at least these reasons, the Applicant respectfully submits that the subject matter of the independent Claim 1 is allowable over the teachings of Meyers in view of Howes and as such is an allowable base claim.

Claims 2-6 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Meyers in view of Howes. Accordingly, Claims 2-6 are each also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 6-17 and 29-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,122,614 issued to Kahn et al. (hereinafter “Kahn”) in view of U.S. Patent No. 5,991,595 issued to Romano et al. (hereinafter “Romano”). The Applicant respectfully traverses this rejection.

The present invention teaches a server that receives and stores voice files created by users of the system. The server is coupled to a speech-to-text media conversion system to receive converted text files of the audio voice files. The server includes a reviewer database that stores a plurality of skill sets for each of the reviewers. A skill set is a list of keywords that a reviewer is familiar with. For instance, for a reviewer proficient in reviewing or transcribing medical documents, his skill set will include common medical terms. The server determines which one of the reviewers should review the text document. The server makes this decision by first extracting a list of keywords from the converted text file. The keywords are extracted from the text file by searching the document and

comparing it to a keyword database. The server then matches the list of keywords to the skill sets of the reviewers within the reviewer database. As a result of this matching process, one reviewer is selected to review the converted text file. The server will route the converted text document file and pointers corresponding to the voice file to a workstation associated with the selected reviewer.

Kahn teaches matching two different converted text documents, both related to the same voice file, and determining words that don't match when comparing the two text documents to each other. In other words, Kahn teaches means for extracting a list of words from a first text document that do not match words from a second text document (Kahn, col. 2, lines 34-38).

Romano teaches presenting constructed responses through electronic workfolders for human evaluation. Constructed responses are defined as open-ended responses, such as essay answers, to test questions. The constructed responses are sent to a reader or rater for evaluation and for receiving scores from the reader.

Within the Office Action, it is stated that Kahn teaches means for extracting a keyword from an automatically transcribed document, as claimed. However, within the Office Action, it is acknowledged that Kahn does not teach selecting a reviewer based on a keyword. The Examiner contends that Romano teaches choosing a reviewer (reader) based on a correlation between the information of the document and the reviewer's (reader's) rating, and that this is the same as selecting a reviewer based on a keyword. The Applicant respectfully disagrees with this conclusion.

Romano teaches that constructed responses are transmitted to a test developer for categorization (Romano, col. 3, lines 53-56). The test developers determine a category for each constructed response (Romano, col. 3, lines 60-61). There are six categories into which these reviewed constructed responses are categorized. The categories include calibration, certification, training sample, monitoring, benchmark, and rangefinder. A rater selects a category, and the system lists available constructed responses from the selected category that also match the rater's qualification status (Romano, col. 4, lines 45-52).

Within the Response to Arguments, the Examiner acknowledges that the rater selects the category, but that "the system chooses or matches the document with the status of the rater." The Applicant contends that the system of Romano teaches selecting a list of documents from a selected category meet the qualification status for a given rater. Specifically, the same rater that selected the category. As such, the system of Romano does not select a particular rater from a group of raters. Instead, the system of Romano selects a list of documents (constructed responses) from the group of

documents within a given category. “Choosing or matching” a list of documents is not the same as selecting one rater from a group of raters. Romano does not teach a system that selects one of a plurality of reviewers (raters).

The independent Claim 7 is directed to an apparatus for facilitating review of an automatically transcribed document generated by a media conversion system, wherein the document is generated in response to an input. The apparatus includes means for extracting a keyword from the document, means for selecting one of a plurality of reviewers in response to the keyword, and means for transmitting the input and the document to the selected reviewer for review. As discussed above, it is acknowledged by the Examiner that Kahn does not teach selecting one of a plurality of reviewers based on a keyword. Further, Romano does not teach a system that selects one of a plurality of reviewers. For at least these reasons, the Applicant respectfully submits that the subject matter of the independent Claim 7 is allowable over the teachings of Kahn in view of Romano and as such is an allowable base claim.

Claims 8-17 are each dependent upon the independent Claim 7. As discussed above, Claim 7 is allowable over the teachings of Kahn in view of Romano. Accordingly, Claims 8-17 are each also allowable as being dependent upon an allowable base claim.

The independent Claim 29 is directed to a method of improving productivity of human review of an automatically transcribed document generated by an information processing system, wherein the document is generated in response to an input. The method includes extracting an attribute from the document, and selecting one of a plurality of human reviewers based on the attribute. As discussed above, it is acknowledged by the Examiner that Kahn does not teach selecting one of a plurality of reviewers based on a keyword. Further, Romano does not teach a system that selects one of a plurality of reviewers. For at least these reasons, the Applicant respectfully submits that the subject matter of the independent Claim 29 is allowable over the teachings of Kahn in view of Romano and as such is an allowable base claim.

Claims 30-36 are each dependent upon the independent Claim 29. As discussed above, Claim 29 is allowable over the teachings of Kahn in view of Romano. Accordingly, Claims 30-36 are each also allowable as being dependent upon an allowable base claim.

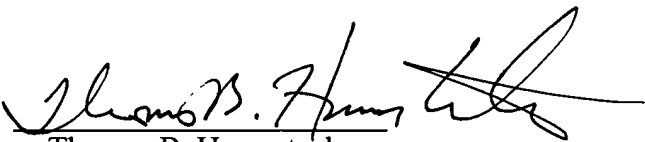
Claim 6 is dependent on the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Meyers in view of Howes. Accordingly, Claim 6 is also allowable as being dependent on an allowable base claim.

Within the Office Action, Claims 18-28 are allowed.

For at least the reasons given above, Applicant respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 8-29-05

By: 
Thomas B. Haverstock
Reg. No. 32,571
Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP
Date: 8/29/05 By: 